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DEPARTMENT OF EDUCATION

[CFDA No. 84.938H]

Correction; Notice Announcing Availability of Funds and Application Deadline for Hurricane Education Recovery Awards; Correction

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Notice.

SUPPLEMENTARY INFORMATION: On August 18, 2006, we published a notice in the *Federal Register* (71 FR 47785) announcing the availability of funds and application deadline for Hurricane Education Recovery Awards under Title II of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror and Hurricane Recovery, 2006 (Pub. L. 109-234). On page 47786 of that notice, under the *Pre-Application Requirements* section, the last sentence of that section indicates that after submission of the pre-application, "Institutions will then have until September 12, 2006 to submit their application and budget through the e-Application system." This date is corrected to read "September 19, 2006".

FOR FURTHER INFORMATION CONTACT:

David Johnson, Hurricane Education Recovery Awards, U.S. Department of Education, 1990 K Street, NW., room 6155, Washington, DC 20006-8544. Telephone: (202) 502-7516.

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Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotope, or computer diskette) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: You may view this document, as well as other Department of Education documents published in the *Federal Register*, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at

1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

Note: The official version of this document is the document published in the *Federal Register*. Free Internet access to the official edition of the *Federal Register* and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

Program Authority: Division B, Title IV of Public Law 109-148; Title II of Public Law 109-234.

Dated: August 23, 2006.

James F. Manning,

Acting Assistant Secretary for Postsecondary Education.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-8213-7]

Proposed Consent Decree, Clean Air Act Citizen Suit

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed consent decree; request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree, to address a lawsuit filed by Kentuckians for the Commonwealth, Friends of the Chattahoochee and Sierra Club (collectively, "plaintiffs") *Kentuckians for the Commonwealth, et al. v. Johnson*, No. 06CV00184 (RMU) (D. D.C.). Plaintiffs filed a complaint on February 2, 2006 and their First Amended Complaint on April 14, 2006, claiming that EPA had failed to perform non-discretionary duties under CAA section 111(b)(1)(B) to review and, if appropriate, revise the new source performance standards ("NSPS") for nonmetallic mineral processing plants (Subpart OOO) and for coal preparation plants (Subpart Y). Under the proposed consent decree, within 18 months from when the Court enters the consent decree, EPA would be required to sign, and promptly forward to the Office of Federal Register, one or a combination of the following for each NSPS: (a) A proposed or final determination that review of the NSPS is not appropriate in light of readily available information on the efficacy of such standard; (b) a proposed determination that based on a complete review of the NSPS, revision is not appropriate; or (c) a proposed rule containing revisions to the NSPS. Within 30 months from when the Court

enters the consent decree, EPA would be required to sign and promptly forward to the Office of Federal Register one or a combination of the following for each NSPS: (a) A final determination that review of the NSPS is not appropriate in light of readily available information on the efficacy of such standard; (b) a final determination that based on a complete review of the NSPS, revision is not appropriate; or (c) a final rule containing revisions to the NSPS.

DATES: Written comments on the proposed consent decree must be received by September 28, 2006.

ADDRESSES: Submit your comments, identified by Docket ID number EPA-HQ-OGC-2006-0727, online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to

oei.docket@epa.gov; mailed to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Wordperfect or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

FOR FURTHER INFORMATION CONTACT:

Susan Stahle, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (202) 564-1272; fax number (202) 564-5603; e-mail address: stahle.susan@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Additional Information About the Proposed Consent Decree

Under the terms of the proposed consent decree, once the Court enters the decree EPA will begin its efforts involving NSPS Subparts OOO and Y to determine what is needed for each NSPS. Within eighteen (18) months of entry of the consent decree, the appropriate EPA official will sign and promptly forward to the Office of Federal Register one or a combination of the following for each NSPS: (a) A proposed or final determination that review of the NSPS is not appropriate in light of readily available information on the efficacy of such standard; (b) a proposed determination that based on a complete review of the NSPS, revision is not appropriate; or (c) a proposed rule containing revisions to the NSPS.